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GOVERNOR

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SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Division of Drinking Water

October 2, 2018  
Certified Mail/Return  
7017 0190 0000 6412 8147

Adam's Vegetable Oils  
7301 John Galt Way  
Arbuckle, CA 95912

Attention: Lee Smith, Operations Manager

**Subject: Public Water System No. 0605012 – Citation No. 21-18C-036 for Failure to Collect Five Routine Bacteriological Samples in August 2018.**


It has come to our attention that the Adam's Vegetable Oils water system failed to collect five routine bacteriological samples in August of 2018, following a total coliform-positive sample in July 2018. Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:  
[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

  
Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

1 **Citation No. 21-18C-036**

2  
3 **STATE OF CALIFORNIA**  
4 **WATER RESOURCES CONTROL BOARD**  
5 **DIVISION OF DRINKING WATER**  
6

7 **Public Water System:** Adam's Vegetable Oils

8 **Water System No.:** 0605012  
9

10 **To:** Adam's Vegetable Oils  
11 Attn: Lee Smith, Operations Manager  
12 7301 John Galt Way  
13 Arbuckle, CA 95912  
14

15 **Issued:** October 2, 2018  
16 VIA CERTIFIED MAIL  
17

18 **CITATION FOR NONCOMPLIANCE**  
19 **With Title 22, California Code of Regulations**  
20 **Section 64424**  
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the  
23 issuance of a citation for failure to comply with a requirement of the California Safe  
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with  
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.  
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues a citation to Adam's Vegetable Oils for failure to  
4 comply with Section 64424, Title 22, of the California Code of Regulations (CCR).

#### 6 **APPLICABLE AUTHORITIES**

7 See Attachment A for Applicable Authorities

#### 9 **STATEMENT OF FACTS**

10 Adam's Vegetable Oils (hereinafter "System") is classified as a non-transient non-  
11 community water system and serves water to approximately 90 people. Based on this  
12 population, the System is required to collect one routine bacteriological water sample  
13 each month. In the event that a routine bacteriological sample is positive for total  
14 coliform, the System is required to collect five routine samples the month following a  
15 positive routine sample. In July 2018 the System collected a routine sample that  
16 indicated the presence of total coliform. As a result, the System collected 4 repeat  
17 samples in the same month, but did not collect five (5) routine samples the following  
18 month (August 2018). A similar event occurred one year ago when the System failed  
19 to collect five (5) routine samples in August 2017, following a total coliform positive  
20 sample in July 2017.

#### 22 **DETERMINATION**

23 The Division has determined that the System violated Section 64424(d), Title 22, of  
24 the CCR, in that the System did not collect five routine samples the month following a  
25 total coliform positive sample.

1   **DIRECTIVES**

2   The System is directed to take the following actions:

- 3
- 4       1. **Within 30 days** of the issuance of this Citation, provide public notification in
- 5           accordance to **Attachment B**, to all persons served by the System of the
- 6           violation noted above; as required by Section 64463.4(c)(2) and Section
- 7           64465, Title 22, of the CCR. Notification shall be completed in accordance with
- 8           the following:

- 9
- 10           a. Posting in conspicuous locations throughout the area served by the
- 11              water system.

- 12
- 13       2. Complete and return **Attachment C**, "Certification of Completion of Public
- 14           Notification" form **within 10 days** of giving public notice. A copy of the notice
- 15           used to provide public notification shall be attached to the form.

16

17   The Division reserves the right to make such modifications to this Citation as it may

18   deem necessary to protect public health and safety. Such modifications may be

19   issued as amendments to this Citation, and shall be deemed effective upon issuance.

20

21   Nothing in this Citation relieves the System of its obligation to meet the requirements

22   of the California Safe Drinking Water Act, or of any regulation, permit, standard, or

23   order issued or adopted thereunder.

24   All submittals required by this Citation shall be submitted to the Division at the

25   following address:

26

27



1 Reese B. Crenshaw, P. E.  
2 Valley District Engineer  
3 State Water Resources Control Board  
4 Division of Drinking Water  
5 364 Knollcrest Dr. Suite 101  
6 Redding, CA 96002  
7

#### 8 **PARTIES BOUND**

9 This Citation shall apply to and be binding upon the Water System, its officers,  
10 directors, shareholders, agents, employees, contractors, successors, and assignees.  
11

#### 12 **SEVERABILITY**

13 The Directives of this Citation are severable, and the Water System shall comply with  
14 each and every provision thereof, notwithstanding the effectiveness of any other  
15 provision.  
16

#### 17 **FURTHER ENFORCEMENT ACTION**

18 The California SDWA authorizes the Division to: issue citation with assessment of  
19 administrative penalties to a public water system for violation or continued violation of  
20 the requirements of the California SDWA or any permit, regulation, permit or order  
21 issued or adopted thereunder including, but not limited to, failure to correct a violation  
22 identified in a citation or compliance order. The California SDWA also authorizes the  
23 Division to take action to suspend or revoke a permit that has been issued to a public  
24 water system if the system has violated applicable law or regulations or has failed to  
25 comply with an order of the Division; and to petition the superior court to take various  
26 enforcement measures against a public water system that has failed to comply with

1 violates an order of the Division. The Division does not waive any further enforcement  
2 action by issuance of this citation.

3  
4  
5  
6  
7 10/2/18

8 Date

R. Crenshaw

Reese B. Crenshaw, P.E.,

Valley District Engineer

Division of Drinking Water

State Water Resources Control Board

12  
13  
14 Attachments:

15 Attachment A - Applicable Authorities

16 Attachment B - Public Notification Form

17 Attachment C – Public Notification Certification Form  
18



## ATTACHMENT A – APPLICABLE AUTHORITIES

### APPLICABLE AUTHORITIES

#### Section 116650 of the CHSC states in relevant part:

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

**Section 116701 of the CHSC states in relevant part:**

**Petitions to Orders and Decisions**

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*



## ATTACHMENT A – APPLICABLE AUTHORITIES

- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

### **Section 64424(d), Title 22, of the CCR states in relevant part:**

- (d) If a public water system for which fewer than five samples per month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month.*

### **Section 64463.4(c)(2), Title 22, of the CCR states in relevant part:**

*Unless otherwise directed by the Division in writing based on its assessment of the violation or occurrence and the potential for adverse effects on public health and welfare, noncommunity water systems shall give the public notice by:*

- (A) Posting in conspicuous locations throughout the areas served by the water system; and*
- (B) Using one or more of the following methods to reach persons not likely to be reached by a public posting:*
  - 1. Publication in a local newspaper or newsletter distributed to customers:*
  - 2. E-mail message to employees or students:*
  - 3. Posting on the Internet or intranet: or*
  - 4. Direct delivery to each customer.*

***Public Notice Content and Format***

***Section 64465, Title 22 of the CCR, states in relevant part:***

*(a) Each public notice given pursuant to this article, except Tier 3 public notices for variances and exemptions pursuant to subsection (b), shall contain the following:*

- (1) A description of the violation or occurrence, including the contaminant(s) of concern, and (as applicable) the contaminant level(s);*
- (2) The date(s) of the violation or occurrence;*
- (3) Any potential adverse health effects from the violation or occurrence, including the appropriate standard health effects language from appendices 64465-A through G;*
- (4) The population at risk, including subpopulations particularly vulnerable if exposed to the contaminant in drinking water;*
- (5) Whether alternative water supplies should be used;*
- (6) What actions consumers should take, including when they should seek medical help, if known;*
- (7) What the water system is doing to correct the violation or occurrence;*
- (8) When the water system expects to return to compliance or resolve the occurrence;*
- (9) The name, business address, and phone number of the water system owner, operator, or designee of the water system as a source of additional information concerning the public notice;*

## ATTACHMENT A – APPLICABLE AUTHORITIES

*(10) A statement to encourage the public notice recipient to distribute the public notice to other persons served, using the following standard language: "Please share this*

*information with all the other people who drink this water, especially those who may not have received this public notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail."; and*

*(11) For a water system with a monitoring and testing procedure violation, this language shall be included: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [compliance period dates], we ['did not monitor or test' or 'did not complete all monitoring or testing'] for [contaminant(s)], and therefore, cannot be sure of the quality of your drinking water during that time."*

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

**ADAM'S VEGETABLE OILS DID NOT COLLECT FIVE  
ROUTINE BACTERIOLOGICAL SAMPLES IN AUGUST 2018**

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

**What should you do?**

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

**What happened? What was done?**

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. We are required to collect five routine water samples the month following a total coliform-positive sample. During the month of July 2018, we collected a routine sample that was positive for total coliform. As a result, we collected the required follow up samples in the same month, but did not collect five routine samples the following month in August 2018. Therefore, we could not be sure of the quality of your drinking water during that time.

We have addressed this by resuming routine sample collection beginning in September 2018.

For more information, please contact Lee Smith @ 530-668-2030.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

State Water System ID#: 0605012

Date distributed: \_\_\_\_\_

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form, when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

**Public Water System Name** Adam's Vegetable Oils

**Public Water System No.** 0605012

Public notification for missing five routine bacteriological samples in August 2018, was performed by the following required method:

- Posting in conspicuous locations throughout the area served by the water system:  
List locations: \_\_\_\_\_

I hereby certify that the above information is factual.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date